

# **Chevy Chase Village Board of Managers**

## **April 8, 2013**

***Note:** These minutes reflect the Board's actions only, and do not include remarks made by members of the Board of Managers, Legal Counsel, Village Staff or others in attendance. An audio recording of this meeting is available on the Village website at [www.chevychasevillagemd.gov](http://www.chevychasevillagemd.gov) or by request to the Village office.*

### **BOARD OF MANAGERS**

Patricia S. Baptiste, Chair	Present
Michael L. Denger, Vice Chair	Present
Richard Ruda, Secretary	Present
Gary Crockett, Treasurer	Present
David L. Winstead, Board Member	Present

### **STAFF**

Shana R. Davis-Cook, Village Manager	Present
John Fitzgerald, Police Chief	Present
Michael W. Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present
Jacqueline A. Parker, Public Safety Coordinator	Present

### **COUNSEL**

Suellen M. Ferguson, Village Counsel	Present
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Ms. Patricia S. Baptiste, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:30 p.m.

### **Approval of Minutes from the Board's Regular Meeting held on March 18, 2013**

Minutes of the Board's regular meeting held on March 18, 2013 were circulated to the Board prior to the meeting. Mr. Denger requested the following amendments to the draft minutes:

- Page 1, line 1: replace "testimony given" with "remarks made".
- Page 3, line 8: after "effect" add "no later than"; replace "contingent upon" with "after".
- Page 3, line 9: replace "receive" with "receiving", replace "correspondence" with "notice".
- Page 7, line 16: insert "the" before "Dutch Elm Disease".
- Page 7, line 17: insert a comma after "rights-of-way".

*Mr. Crockett moved to approve the minutes of the Board of Managers' regular monthly meeting held on March 18, 2013, as amended. Mr. Denger seconded the motion. Ms. Baptiste, Mr.*

Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.

### **Approval of Minutes from the Board of Managers' Executive Session held on March 18, 2013**

Minutes of the Board of Managers' Executive Session held on March 18, 2013 were circulated to the Board prior to the meeting.

*Mr. Denger moved to approve the minutes from the Board of Managers' Executive Session held on March 18, 2013, as drafted. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.*

### **Consent Agenda**

**Mr. and Mrs. John Campanella, 5910 Cedar Parkway.** Consent agreement to remove one 16- inch diameter Holly tree located in the rear (west) yard of the property. *There were no requests for this matter to be removed from the Consent Agenda.*

Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted unanimously to approve the consent agreement as drafted.

### **Variance, Special Permit and Tree Removal Requests**

#### **A-6295 (Variance Requests): Mr. and Mrs. Stephane Guimbert, 4107 Oliver Street.**

Relocate and construct a stoop with two (2) treads that would encroach a maximum of four feet, nine and one-half inches (4'9 ½") forward of the twenty-five (25) foot front building restriction line.

*Mr. Denger moved to direct staff to draft a decision approving the variance request to construct a stoop with two (2) treads that would encroach a maximum of four feet, nine and one-half inches (4'9 ½") forward of the twenty-five (25) foot front building restriction line. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.*

#### **A-6297 (Special Permit Requests): Mr. and Mrs. Jerry Pritchett, 5607 Park Street.**

Replace and widen a concrete driveway with a paver border that would measure a maximum of thirteen feet, nine inches (13'-9") in width in the Park Street public right-of-way.

*Consideration of this case was postponed until the Board's regular meeting agenda for May 13, 2013.*

### **Treasurer's Report**

The Treasurer's Report was distributed prior to the meeting. No action was taken by the Board.

## **Police Report**

The Police Report was distributed prior to the meeting. No action was taken by the Board.

## **Committee Reports**

### **Elections Committee: Board appointment to renew term of Minh Le (Oliver Street).**

*Mr. Denger moved to re-appoint Minh Le to a 5-year term to the Elections Committee. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.*

### **Elections Committee: Extend terms from March to July.**

*Mr. Denger moved to change all terms for members of the Elections Committee from March to July. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.*

## **Tree Committee**

*Mr. Ruda moved to appoint Lawrence Heilman to serve on the Tree Committee. Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.*

## **Old Business & Status Reports**

### **Public Hearing: Draft Budget for the Fiscal Year Beginning July 1, 2013 (FY2014)**

No comments were heard from the floor. Staff will draft budget and tax levy resolutions for adoption by the Board during the Annual Meeting on April 15, 2013.

## **Village Hall Maintenance Update**

Ms. Davis-Cook updated the Board on maintenance and repairs in progress in and around the Village Hall, including roof repairs, painting, replacement of the porch railings and landscaping, and a proposal to install two River Birch trees in front of the Post Office entrance to mitigate a water runoff issue in this area. Discussion followed.

*The Board supported the planting of the two proposed River Birch trees and the ongoing maintenance efforts as outlined.*

## **New Business**

### **Contract Authorization Requests:**

- Refuse and Recycling Collection: Unity Disposal and Recycling, LLC (1<sup>st</sup> of two one-year extensions)

*Mr. Winstead moved to authorize the Village Manager to exercise the first of two (2) one-year option years to extend the contract with Unity Disposal and Recycling, LLC for Refuse and*

*Recycling Collection Services.* Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.

- Consulting Arborist Services: Feather & Associates (1<sup>st</sup> of two one-year extensions)

*Mr. Crockett moved to authorize the Village Manager to exercise the first of two (2) one-year option years to extend the contract with Feather & Associates for Consulting Arborist Services.* Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.

### **Expenditure Authorization Request**

- Street Repaving – along West Kirke Street (between Cedar and Magnolia Parkways) and West Lenox Street (between Cedar and Laurel Parkways) by A.B. Veirs and Sons, Inc. (under an existing contract) in the amount of \$96,320.

*Mr. Denger moved to authorize the Village Manager to expend the remaining \$96,320 in the FY2013 Street Maintenance and Repair Program budget to repave West Kirke and West Lenox Streets as outlined above.* Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.

### **Supplemental Appropriation Request**

- \$12,000 from reserves to “Capital Projects, Village Hall Security”

*Mr. Ruda moved to approve a supplemental appropriation in the amount of \$12,000 from reserves to “Capital Projects, Village Hall Security” for implementation of a proposed security plan for the Village Hall.* Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed. Proposed signage regarding the new controlled access to the Village Hall will be submitted to the Board for its advance review.

### **Purchase Authorization Request**

- Spring Tree Plantings: Stadler Nursery in the amount of \$8,110.54

*Mr. Denger moved to authorize the Village Manager to issue a purchase order to Stadler Nurseries in the amount of \$8,110.54.* Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.

**Comcast Franchise Renewal:** Board review and possible approval of proposed terms.

*The Board requested that Village Counsel gather more information and present her findings at the next Board of Managers' meeting in May.*

## **Manager's Report**

The Manager's Report was circulated prior to the meeting.

Ms. Davis-Cook requested the Board's approval of the draft decisions for the following cases considered by the Board at its meeting on March 18, 2013:

- **A-6082 (Extension Requests): Mr. and Mrs. Andrew C. Marino, 11 Primrose Street**
  - (a) Variance—Extension of a previously approved appeal to: Relocate and construct front steps that extend a maximum of twelve feet, eight inches (12'-8") forward of the twenty-five (25) foot front building restriction line; and
  - (b) Special Permit—Relocate and install a lamp post along a relocated front walkway (in the Primrose Street public right-of-way). The proposed new lamp post would be located four-feet, nine and one-half inches (4'-9 ½") from the public sidewalk.
- **A-6266 (Variance Request): Mr. & Mrs. Alex Sternhell, 27 Primrose Street**

Reconfigure a pair of existing front steps that would encroach a maximum of eleven feet, five and one-half inches (11'-5 ½") forward of the twenty-five (25) foot front (Primrose Street) building restriction line.
- **A-6285 (Special Permit Request): Ms. Minh Le & Mr. Chris Dymond, 3933 Oliver St.**
  - (a) Replace a portion of a gravel driveway with a paver driveway that would measure a maximum of twenty-six (26) feet in length in front of the two-car garage in the north yard of the property; and
  - (b) Replace a gravel driveway with a paver driveway that measures a maximum of eighteen (18) feet in width in the Cedar Parkway public right-of-way.
- **Mr. Paul Rasevic on behalf of 136 Grafton Street, LLC, 136 Grafton Street**

Request for removal of one 24.0-inch diameter Black Locust tree, located in the Grafton Street public right-of-way.

*Mr. Denger moved to approve all of the decisions for the above-outlines cases, as drafted. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed.*

*Mr. Crockett moved to adjourn the meeting. Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, Mr. Crockett, and Mr. Winstead voted in favor of the motion. The motion passed. The meeting adjourned at 8:36 p.m.*

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Secretary, Chevy Chase Village Board of Managers

*Reviewed by: MWY, SD-C, PB; 4/15/13*